

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:

Tustin et al.

Serial No.: 10/650,510

Group Art Unit: 1755

Filed: August 28, 2003

Examiner: Patricia L. Hailey

For: FLUIDIZABLE CARBON CATALYSTS

Mail Stop AF

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL OF AMENDED APPEAL BRIEF

In response to the Notification of Non-Compliant Appeal Brief mailed on December 14, 2006, Appellents submit herewith an amended Appeal Brief in connection with the above-identified application. Appellants have amended the Appeal Brief to include an Evidence appendix (Appendix B) and a Related Proceedings appendix (Appendix C) as requested in the Notification and required under 37 CFR §41.37. The amended brief is being submitted with one month or thirty days of the mailing date of the Notification. Appellants believe that the amended brief overcomes the reasons for non-compliance that were stated in the notification and respectfully request timely consideration of their appeal.

Respectfully submitted,

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December 21, 2006
Date